

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NELLIE SAMPSON,
*on behalf of herself and all other employees similarly
situated,*

Plaintiffs,

v.

MEDISYS HEALTH NETWORK INC., THE JAMAICA
HOSPITAL, THE PENINSULA HOSPITAL MEDICAL
CENTER, FLUSHING HOSPITAL AND MEDICAL
CENTER, PENINSULA HOSPITAL CENTER, DAVID
P. ROSEN, and MAX SCLAIR,

Defendants.
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ECF CASE

10 Civ. 1342 (SJF) (ARL)

**DECLARATION OF
RONALD MUSSELWHITE**

I, Ronald Musselwhite, hereby declare as follows based on personal knowledge:

1. I am the Vice President of Human Resources for Peninsula Hospital Center
("Peninsula").

2. I have been employed by Peninsula since April 2006. As Vice President of
Human Resources, I am familiar with certain of Peninsula's policies and practices with respect to
labor and employee relations, compensation, benefits, human resources administration, staffing
and corporate human resources support.

3. Peninsula is a non-profit, community-based hospital that employs approximately
950 individuals.

4. I have reviewed the Complaint in the above-captioned litigation, including
plaintiff Nellie Sampson's ("Plaintiff") description of non-exempt Peninsula employees on
whose behalf Plaintiff purports to bring this lawsuit on a class and collective action basis.
Certain current or former Peninsula employees included in Plaintiff's putative class description

are members of collective bargaining units represented by one of several labor unions that represent Peninsula employees.

5. The terms and conditions of employment for certain putative class members are governed by a collective bargaining agreement (“CBA”).

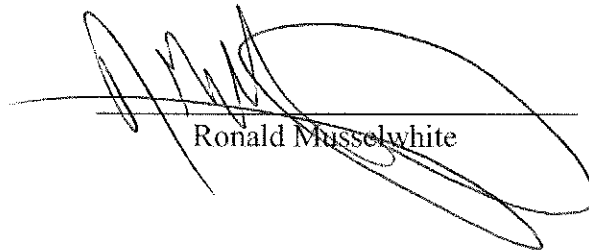
6. The terms and conditions of employment for some of the employees (current and former) in Plaintiff’s putative class description were governed by a CBA between Peninsula and New York State Nurses Association (“NYSNA”). A true and accurate copy of the CBA previously in effect between Peninsula and NYSNA is attached as Exhibit A. The terms and conditions of employment for this group of employees is currently governed by the CBA between Peninsula and 1199SEIU United Healthcare Workers East Registered Nurse Division (“SEIU, RN Division”). A true and accurate copy of the Settlement Outline of the CBA currently in effect between Peninsula and SEIU, RN Division is attached as Exhibit B.

7. The terms and conditions of employment for other current or former of Peninsula employees included in the putative class description are governed by a CBA between Peninsula Hospital Center/Peninsula Center for Extended Care and Rehabilitation and Superior Officers Benevolent Association (“SSOBA”). A true and accurate copy of the CBA currently in effect between Peninsula Hospital Center/Peninsula Center for Extended Care and Rehabilitation and Superior Officers is attached as Exhibit C.

8. The terms and conditions of employment for members of a third group of putative class members units of Peninsula employees are governed by a CBA between Peninsula Hospital Center and 1199SEIU League of Voluntary Hospitals (“SEIU, League”). A true and accurate copy of the CBA currently in effect between Peninsula Hospital Center and SEIU, League is attached as Exhibit D.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 22, 2010.



Ronald Musselwhite